G. R. S. 58]

Previous references.

8. 1–3

1901–02

191 .

(Separate Revenue)

File No. 30 of 01-2

Serial Nos. 4 & 11 to

Later references.

5, 9 & 10

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4, & 11 to 14

Major **Part B for** January 02.

SUBJECT.

Rules and Regulations under Excise Regulation V of 1901.

Serials 4. From the Ex: Commr. No. 2454/107 — 30. 9. 01 / 4. 10. 01

Submits for approval and publication Draft notifications under Sections 4 (g) & 5 (1) & 5 of the Excise Regulation V of 1901

GPB—3,500—21-7-14

11. To the Ex: Comm^rs 7/1/02.
" Coupthollier,
" Ag. Comm^r & Sec^y
No: 11277 (6

Forwarding the notification for insertion
with the G. No: 2458 dt^d 13th Sep: 01 after approval, &
the Compiler for publication

12. To the Ex: Comm^rs 7/1/02.
No: 11287

Reference some powers under Section
2(9) of the Mysore Excise Regulation V of

13. To the Ex: Comm^rs 7/1/02.
No: 11288

Framing certain rules under Sec
5(1) of the Ex: Regn: V of 01.

14 To the Ex: Comm^rs 7/1/02.
No: 11289

Notifies under Section 5(2) of the
Excise Regulation V of 1901, the Govt. of Mys
frames certain rules.

Entered [illegible]

OFFICE OF THE
4609
5-X-01 1897

Ex 116. 116.

From P. N. Nunuanja Esqre B.A.
Excise Commissioner
in Mysore

SECTION C.R.I.
FILE No. 3270-02
SER'AL No. 4

To N. V. Narsimhayya Esqre
M.A, M.L.
Secretary to Government
Genl: and Rev: Depts:

Dated 30th September 1901

Despatched 4/10

Received

General No. 2454
No. 107

Enclosure No. 1

Subject

Submits for approval and publication draft Notifications under Sections 4(q) and 5(1) & 5(2) of the Excise Regulation V of 1901.

enclosure put up with the draft order as per ref-
-erence

7-1-02

Put up

Ex.
5.10.01

Submitted for order
The notification proposed is in accordance with the Regulation & the existing order of Feb/97 re the powers & duties of Officers of the Excise Dept.
Submitted to 2nd Councillor

8/10/01

× No. 6322-71
Ex. 7.11-97
dy 20/12/01

No. 2454 Encl
107

Excise Commissioner's Office
Bangalore dated 30th September
4/10

From,

P. A. Purnaiya Esqre B. A
Excise Commissioner
in Mysore

To,

H. V. Nanjundayya Esqre
M. A., M. L.
Secretary to Government
General and Revenue Department

Sir,

I have the honor to submit
herewith for approval and publication
draft Notifications (1) delegating under
Section 4(9) of the Excise Regulation
V of 1901, certain powers of Government
to the Excise Commissioner, Deputy Com-
missioners of Districts, viz (2) making
Rules under Sec 5 (1) of the Regulation, pre-
scribing the duties and powers of Excise
Officers, and (3) framing Rules under Sec 5 (2)
of the Regulation, regulating the delega-
tion by the Excise Commissioner or
District Deputy Commissioners, of their
powers.

I have the honor to be
Sir,
Your most obedient Servant

P. Purnaiya
Excise Commissioner
in Mysore

SECTION SR
FILE No. 30/01-02
SERIAL No. 9

140

Read :—

Letter no 2454/107 dated 30th September 1901 from the Excise Commr in Mysore, submitting for approval and publication draft notifications

(1) delegating under section 4(g) of the Excise Regulation V of 1901, certain powers of Government to the Excise Commr, Deputy Commrs of Districts, &c

(2) making Rules under Section 5(1) of the Regulation prescribing the duties and powers of Excise Officers, and

(3) framing Rules under Section 5(2) of the Regulation regulating the delegation by the Excise Commr or District Deputy Commrs

of their powers.

Order thereon:— No 11277-06
4-73-1901
By 7.1.02

The draft notifications submitted with the above are approved and forwarded to the Compiler, Mysore Gazette for publication in three successive issues of the Gazette.

6/1/02

For Secretary

+ 2nd Council's order

+ ws- [illegible]

+ [illegible]

The Excise Commr in Mysore
" Comptroller, M.G.
Deputy Commrs of Distts

(Here enter notifications ~~in order~~ Nos dated in order)

SECTION 205

FILE No. 2/6/1902

SERIAL No. 12

Draft Notification no 112 87
2-23-1901

Dated 7th January 1902

Under Section 4 (g) of the Mysore Excise Regulation V of 1901, the Government of Mysore hereby delegate the following powers, viz:-

To the Excise Commissioner

I (a) Power to appoint, promote and transfer Inspectors, of all grades, irrespective of pay, the appointments of Inspectors drawing above Rs 100, made by him, being subject to the approval of Government.

(b) Power to appoint, promote and transfer clerks in his own office up to Rs 100, those in the Deputy Excise Commissioner's office and Government Central Distillery above Rs 30, and those in Assistant Excise Commissioner's office above Rs 20, the appointments of those drawing above Rs 100, made by him, being subject to the approval of Government.

(c) In regard to punishments full powers in respect of all the above officials, the dismissal, degradation and suspension of those drawing above Rs 100, being subject to the approval of Government

(d)

(d) Full powers to transfer Assistant Inspectors of all grades and Clerks from one District to another.

(e) Power to grant all leave to the Inspectors of all grades.

II. Power under Section 5(1), to frame and issue rules, from time to time, prescribing the powers and duties to be exercised and performed by Excise Officers of the several classes, where not specifically provided for by the Excise Regulation or by rules framed thereunder by the Government of Mysore.

III. Power under Section 5(2), to make rules regulating the delegation by the Deputy Commissioners of Districts of any powers conferred by the Regulation, or exercised in respect of Excise Revenue, under any Regulation for the time being in force.

IV. Power under Section 10 to prescribe by Notification from time to time, either generally for the whole Mysore State or for any local area, the maximum quantity, in excess of which permit for transport of liquor or intoxicating drugs under the provisions of Section 11 shall be required, and to direct that permit for the transport of foreign liquor shall not be dispensed with in respect of any local area to be notified.

I

V. Power under Section 11 to empower persons other than the Deputy Commissioners of Districts to issue permits for the transport of liquor or intoxicating drugs, and to prescribe any other particulars than those mentioned in the Regulation to be specified in every permit

VI. Power under Section 13 to prescribe by Notification from time to time either generally for the whole State or for any local area the maximum quantity of any specified description or kind of liquor or intoxicating drug, in excess of which license for possession shall be required

VII Power under Section 27(b) to empower any Excise officer to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession and from time to time to vary or cancel the grant of such powers as he may deem fit

VIII Power under Section 29 to frame and issue from time to time rules on various points specified therein, where not specifically provided for by Rules framed by Government

IX Power under Section 32 to vest Police officers with any or all of the powers conferred by that Section, and from time to time to vary or cancel the grant

grant of such powers as may be deemed fit

X. Power under Section 56 (a) to empower officers not being Excise officers, to demand the production of licenses and permits by the holders thereof.

XI. Power under the third paragraph of Section 66 to authorize officers to enquire into and determine cases of confiscation thereunder.

XII. Power under Section 67 to Compound offences.

To the Deputy Commissioners of Districts

I (a) Power to appoint, promote, and transfer Assistant Inspectors of and above Rs 20, and Excise Clerks in District and Taluk offices.

(b) In regard to punishments full powers in respect of Assistant &c, Inspectors of all grades.

(c) Power to approve of the appointments, promotions, punishments, transfers and grant of leave, recommended by Excise Divisional officers.

II Power under Section 27 (b) to empower any Excise officer to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession, and from time to time vary

or cancel the grant of such powers as they may deem fit

III Power under Section 67 to compound offences

To the Deputy Excise Commissioners

I (a) Power to make all appointments up to Rs 30, in the Government Central Distillery and in his own office.

(b) In regard to punishments full powers in respect of all the above officials

(c) Power to fine all subordinate officers except Inspectors up to Rs 10, during his tours of inspection, communicating the punishment so inflicted by him to the Excise Commissioner or District Deputy Commissioner as the case may be

To Assistant Commissioners in charge of Excise Divisions

I (a) Power to appoint and promote Sub Inspectors and menial servants and to appoint Assistant Inspectors on Rs 15, and Clerks up to Rs 20

(b) Power to transfer Assistant Inspectors of Rs 25/- and above, subject to District Deputy Commissioners approval; and full powers to transfer

other

other Assistant Inspectors and Sub-
-Inspectors and menial servants, but
when they are to be transferred from
one District to another, the approval
of the Deputy Commissioners of Districts
Concerned should be obtained.

(c) Power to grant leave to Assistant
Inspectors of and above Rs 25, subject
to District Deputy Commissioner's
approval; and full powers to grant
leave to other Assistant Inspectors
and Sub-Inspectors and menial
servants.

(d) In regard to punishments, power
to fine up to Rs 5/- and to award
black marks to Assistant Inspectors
of all grades, and Clerks up to Rs 20;
to degrade and suspend Assistant
Inspectors on Rs 15, and their own-,
Clerks up to Rs 20; and full powers
in case of Sub-Inspectors and menial
servants.

II Power under Section 67 to Compound
offences.

To Inspectors

I. (a) Power to appoint Tree-markers
and peons subject to Divisional
officer's approval.

(b)

(b) Power to transfer Tree markers and peons within their Ranges

(c) Power to promote Tree-markers and peons, subject to Divisional officers approval

(d) Power to grant leave to Tree-markers and peons

(e) Power to fine Tree markers and peons upto Rs 2, subject to an appeal to or reversion by the Divisional officer, and to award black marks, and to recommend dismissal, suspension and degradation in case of Tree markers and peons to Divisional officers

SECTION 22

FILE NO. 3 Proceedings

SERIAL NO. 13

Notification No 1128-86

~~No~~ 773-1901 Dt 7th January 1902

~~As~~ Under Section 5 (1) of the Excise Regulation V of 1901 the Government of Mysore make the following Rules:—

Powers of Commissioner (b) Excise Regulations

I. The Excise Commissioner may require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession

Powers of Dist. C (b) Excise Regulations

II. The Deputy Commissioners of Districts and Excise Divisional officers may require manufacturers of liquor and vendors of liquor, within their respective Districts and Divisions, respectively, to measure

out

out or to test the strength or quality of any such liquor in their possession.

III. The Excise Divisional officers shall submit their weekly diaries and reports on all Departmental matters direct to the Excise Commissioner.

IV. The Excise Divisional officers will draw up their Special inspection Diaries separately for each District, and submit them fortnightly to the Deputy Commissioner of the District concerned, who will forward them with his remarks to the Excise Commissioner. The Excise Commissioner will instruct the Divisional Officers as to the points which have to be noted in their Special Diaries.

V. Inspectors will send their weekly Diaries and Crime sheets to the Divisional officers; and Inspectors and Assistant Inspectors will submit their Abstract Statements of inspection to the Deputy Commissioners of Districts.

VI. Assistant Inspectors and ~~Sub-Inspectors~~ will send their weekly Diaries &c to the Inspectors, who will submit them with their remarks to the Divisional officers.

No. 1128 Q / 47 3-1901 Notification

Dy 7.1.02 Under Section 5(2) of the Excise

Excise Regulation V of 1901, the Govern-
-ment of Mysore make the following Rules:-

I The Excise Commissioner may from time to time delegate to the Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions and Inspectors, his powers to require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. He may also delegate to the Deputy Commissioners of Districts, Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions, Excise Inspectors and Assistant Inspectors, &c; so much as he shall see fit of his other powers under the Excise Regulation, or those delegated to him by Government.

III The Deputy Commissioners of Districts may delegate to the Excise Divisional officer, Excise Inspectors, and Assistant Inspectors, Revenue Assistant Commissioners, Amildars and Deputy Amildars, so much as they shall see fit of their powers under the Excise Regulation, or those delegated to them by Government, or which may be delegated to them by the Excise Commissioner.

"By order"

Secretary to Governme
Genl and Rev. Dept

M. Krishnaiengar
Excise Commissioner
in Mysore

READ—

Letter No. 2454—107, dated 30th September 1901, from the Excise Commissioner in Mysore, submitting for approval and publication draft notifications—

(1) Delegating under Section 4 (*g*) of the Excise Regulation, V of 1901, certain powers of Government to the Excise Commissioner, Deputy Commissioners of Districts, etc.

(2) Making Rules under Section 5 (1) of the Regulation, prescribing the duties and powers of Excise Officers, and

(3) Framing Rules under Section 5 (2) of the Regulation, regulating, the delegation by the Excise Commissioner or District Deputy Commissioners, of their powers.

No. 11277-86—Ex. F. 3-1901, DATED BANGALORE, 7TH JANUARY 1902.

ORDER THEREON.—The draft notifications submitted with the above are approved and forwarded to the Compiler, *Mysore Gazette*, for publication in three successive issues of the *Gazette*.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Comptroller to the Government of Mysore.
The Deputy Commissioners of Districts.

NOTIFICATIONS.

No. 11287—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 4 (*g*) of the Mysore Excise Regulation, V of 1901, the Government of Mysore hereby delegate the following powers, *viz*:—

TO THE EXCISE COMMISSIONER.

I. (*a*) Power to appoint, promote and transfer Inspectors of all grades irrespective of pay, the appointments of Inspectors drawing above Rs. 100, made by him, being subject to the approval of Government.

(*b*) Power to appoint, promote and transfer clerks in his own office up to Rs. 100, those in the Deputy Excise Commissioner's Office and Government Central Distillery above Rs. 30, and those in Assistant Excise Commissioner's Office above Rs. 20, the appointments of those drawing above Rs. 100, made by him, being subject to the approval of Government.

(*c*) In regard to punishments, full powers in respect of all the above officials, the dismissal, degradation and suspension of those drawing above Rs. 100, being subject to the approval of Government.

(*d*) Full powers to transfer Assistant Inspectors of all grades and clerks from one District to another.

(*e*) Power to grant all leave to the Inspectors of all grades.

II. Power under Section 5 (1) to frame and issue rules, from time to time, prescribing the powers and duties to be exercised and performed by Excise officers of the several classes, where not specifically provided for by the Excise Regulation or by Rules framed thereunder by the Government of Mysore.

III. Power under Section 5 (2) to make rules regulating the delegation by the Deputy Commissioners of Districts of any powers conferred by the Regulation, or exercised in respect of Excise Revenue, under any Regulation for the time being in force.

IV. Power under Section 10 to prescribe by Notification from time to time, either generally for the whole of the State or for any local area, the maximum quantity, in excess of

which permit for transport of liquor or intoxicating drugs under the provisions of Section 11 shall be required, and to direct that permit for the transport of foreign liquor shall not be dispensed with in respect of any local area to be notified.

V. Power under Section 11 to empower persons other than the Deputy Commissioners of Districts to issue permits for the transport of liquor or intoxicating drugs and to prescribe any other particulars than those mentioned in the Regulation to be specified in every permit.

VI. Power under Section 13 to prescribe by notification from time to time, either generally for the whole State or for any local area, the maximum quantity of any specified description or kind of liquor or intoxicating drug, in excess of which license for possession shall be required.

VII. Power under Section 27 (*b*) to empower any Excise officer to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession and from time to time to vary or cancel the grant of such powers as he may deem fit.

VIII. Power under Section 29 to frame and issue from time to time, rules on various points specified therein where not specifically provided for by Rules framed by Government.

IX. Power under Section 32 to vest Police officers with any or all of the powers conferred by that section, and from time to time to vary or cancel the grant of such powers as may be deemed fit.

X. Power under Section 56 (*a*) to empower officers not being Excise officers, to demand the production of licenses and permits by the holders thereof.

XI. Power under the third paragraph of Section 66 to authorize officers to enquire into and determine cases of confiscation thereunder.

XII. Power under Section 67 to compound offences.

To the Deputy Commissioners of Districts.

I. (*a*) Power to appoint, promote and transfer Assistant Inspectors of and above Rs. 20, and Excise clerks in District and Taluk offices.

(*b*) In regard to punishments full powers in respect of Assistant Inspectors of all grades.

(*c*) Power to approve of the appointments, promotions, punishments, transfers and grant of leave recommended by Excise Divisional Officers.

II. Power under Section 27 (*b*) to empower any Excise officer and to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession, and from time to time vary or cancel the grant of such powers as they may deem fit.

III. Power under Section 67 to compound offences.

To the Deputy Excise Commissioner.

I. (*a*) Power to make all appointments up to Rs. 30, in the Government Central Distillery and in his own office.

(*b*) In regard to punishments full powers in respect of all the above officials.

(*c*) Power to fine all subordinate officers except Inspectors up to Rs. 10 during his tours of inspection, communicating the punishment so inflicted by him to the Excise Commissioner or District Deputy Commissioner, as the case may be.

To Assistant Commissioners in charge of Excise Divisions.

I. (*a*) Power to appoint and promote Sub-Inspectors and menial servants and to appoint Assistant Inspectors on Rs. 15 and clerks up to Rs. 20.

(*b*) Power to transfer Assistant Inspectors of Rs. 25 and above, subject to District Deputy Commissioner's approval, and full powers to transfer other Assistant Inspectors and Sub-Inspectors and menial servants but when they are to be transferred from one district to another, the approval of the Deputy Commissioners of Districts concerned should be obtained.

(*c*) Power to grant leave to Assistant Inspectors of and above Rs. 25 subject to District Deputy Commissioner's approval; and full powers to grant leave to other Assistant Inspectors and Sub-Inspectors and menial servants.

(*d*) In regard to punishments, power to fine up to Rs. 5 and to award black marks to Assistant Inspectors of all grades and clerks up to Rs. 20, to degrade and suspend Assistant Inspectors on Rs. 15 and their own clerks up to Rs. 20, and full powers in case of Sub-Inspectors and menial servants.

II. Power under Section 67 to compound offences.

To Inspectors.

I. (*a*) Power to appoint tree-markers and peons subject to Divisional Officer's approval.

(*b*) Power to transfer tree-markers and peons within their Ranges.

(*c*) Power to promote tree-markers and peons subject to Divisional Officer's approval.

(*d*) Power to grant leave to tree-markers and peons.

(*e*) Power to fine tree-markers and peons up to Rs. 2 subject to an appeal to or revision by the Divisional Officer, and to award black marks, and to recommend dismissal, suspension and degradation, in case of tree-markers and peons to Divisional Officers.

Excise, dated 7th January 1902.

No. 11288—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 5 (1) of the Excise Regulation, V of 1901, the Government of Mysore make the following Rules :—

I. The Excise Commissioner may for the purposes of clause (*b*) of Section 27 of the Excise Regulation require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. The Deputy Commissioners of Districts and Excise Divisional Officers may for the purposes of clause (*b*) of Section 27 of the Excise Regulation require manufacturers of liquor and vendors of liquor, within their respective Districts and Divisions, respectively, to measure out or to test the strength or quality of any such liquor in their possession.

III. The Excise Divisional Officers shall submit their weekly diaries and reports on all Departmental matters direct to the Excise Commissioner.

IV. The Excise Divisional Officers will draw up their special inspection Diaries separately for each district, and submit them fortnightly to the Deputy Commissioner of the district concerned, who will forward them with his remarks to the Excise Commissioner. The Excise Commissioner will instruct the Divisional Officers as to the points which have to be noted in their Special Diaries.

V. Inspectors will send their weekly Diaries and Crime Sheets to the Divisional Officers; and Inspectors and Assistant Inspectors will submit their Abstract Statements of Inspection to the Deputy Commissioners of Districts.

VI. Assistant Inspectors and Sub-Inspector will send their weekly Diaries, &c., to the Inspectors, who will submit them with their remarks to the Divisional Officers.

No. 11289—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 5 (2) of the Excise Regulation, V of 1901, the Government of Mysore make the following Rules :—

I. The Excise Commissioner may from time to time delegate to the Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions and Inspectors, his power to require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. He may also delegate to the Deputy Commissioners of Districts, Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions, Excise Inspectors and Assistant Inspectors, &c., so much as he shall see fit of his other powers under the Excise Regulation or those delegated to him by Government.

III. The Deputy Commissioners of Districts may delegate to the Excise Divisional Officers, Excise Inspectors and Assistant Inspectors, Revenue Assistant Commissioners, Amildars and Deputy Amildars, so much as they shall see fit of their powers under the Excise Regulation, or those delegated to them by Government, or which may be delegated to them by the Excise Commissioner.

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

Exd.—G.S.

1901-1902

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 7th January 1902

No. 11277-86 / Ex. F. 3-1901

Approving and forwarding to the Compiler, *Mysore Gazette*, for publication, draft notifications under Sections 4 (*g*), 5 (1) and 5(2) of the Excise Regulation, V of 1901.

SBP—21-1-02—350